

FILED

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN

2007 MAR -1 P 12:40

U.S. BANKRUPTCY COURT
E.D. MICHIGAN-DETROIT

In re:

ANISE L. JOHNSON
HARRIS H. JOHNSON

Case No. 98-53792

Chapter 7

APPLICATION FOR PAYMENT FROM UNCLAIMED FUNDS

The undersigned, LINDA C. BARBE, applies to the Bankruptcy Court for the Eastern District of Michigan for entry of an order directing the Clerk of the Court to remit to the applicant the sum of \$ 4391.33, said funds having been deposited into the Treasury of the United States pursuant to an order of the Court as unclaimed funds for creditor SHERMAN ACQUISITION LP. The applicant further states that:

1. (Indicate one of the following)

_____ Applicant is the creditor named in the above case and states that no other application for this claim has been submitted by or at the request of the creditor

X Applicant is the duly authorized representative for the business or corporation named as the creditor. Applicant has reviewed all records of the creditor and states that no other application for this claim has been submitted by or at the request of this creditor. An Affidavit of Creditor is attached and made part of this application.

_____ Applicant is either a family member of the deceased creditor or a successor in interest to the individual or business named as the creditor. An original "power of attorney" conforming to the official Bankruptcy Form and/or other supporting documents which indicated the applicants' entitlement to this claim is attached and made part of this application.

2. Applicant has made sufficient inquiry and has no knowledge that this claim has been previously paid, that any other application for this claim is currently

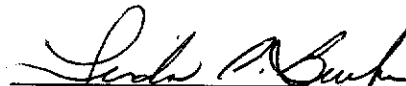
pending before this court, or that any party other than the applicant is entitled to submit an application for this claim.

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Application for Payment from Unclaimed Funds

Respectfully submitted this 26 day of February, 2007.

Sherman Acquisition/
Besorgent Capital
Name of creditor


Signature of Applicant

Linda C. Barbe Bankruptcy Specialist
Name and Title of Applicant

Sherman Acquisition LP
Company Name

15 S. MAIN ST. SUITE 200
Street Address

Greenville, SC 29601
City and State

864-248-8318
Telephone number

57-1082769
Tax Identification

XXX-XX-
Social Security Number

4
Claim Number

SCHEDULE 1

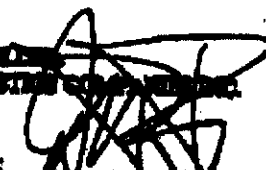
Bill of Sale and Assignment of Accounts

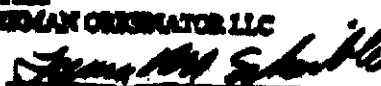
Metris Companies Inc. ("Seller"), for value received and pursuant to the terms and conditions of the Purchase and Sale Agreement dated September 30, 2002 by and between Seller and Buyer, (the "Agreement"), without recourse, to the extent permitted by applicable law, transfers, sells, assigns, conveys, grants and delivers to Sherman Originator LLC. ("Buyer"), who simultaneously transfers, sells, assigns, conveys, grants and delivers to Sherman Acquisition Limited Partnership ("Subsequent Buyer") all rights, title and interest in and to the Accounts which are described on the Asset Schedule and Disk furnished by Seller to Buyer in connection herewith and attached hereto; (i) all payments on and proceeds of such accounts (each, an "Account") after the close of business and on the Cut-Off Date of September 20, 2002 and (ii) all claims arising out of or relating to each Account.


Seller hereby stipulates that Buyer may be substituted for Seller or for Direct Merchants Credit Card Bank N.A. or Metris Receivables Inc. as the valid owner of the Accounts and hereby irrevocably waives any and all notice, hearing requirements imposed by or right to object under Bankruptcy Rule 3001 (e)(2) or otherwise. Buyer hereby stipulates that Subsequent Buyer may be substituted for Buyer as the valid owner of the Accounts and hereby irrevocably waives any and all notice, hearing requirements imposed by or right to object under Bankruptcy Rule 3001 (e)(2) or otherwise.

Each of the obligations of Seller required to be performed by Seller on or prior to the date hereof pursuant to the terms of the Agreement has been duly performed; and all representations and warranties of Seller made under such Agreement are true and correct as of the date hereof.



DATED: September 30, 2002

SELLER:
METRIS COMPANIES INC.
By: 
Name: David E. Smith
Title: VP - Sales & Marketing

BUYER:
SHERMAN ORIGINATOR LLC
By: 
Name: Thomas M. Schmitt
Title: General Manager

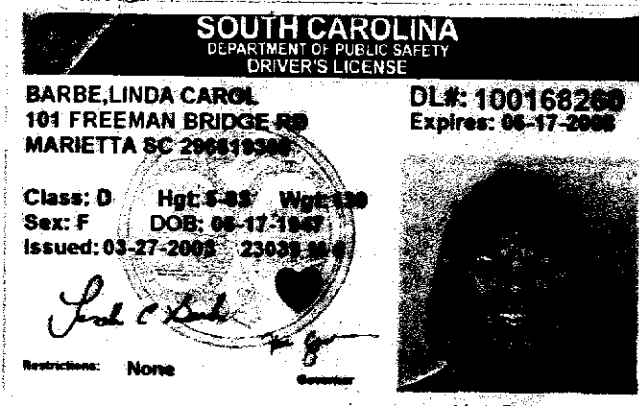
SUBSEQUENT BUYER:
SHERMAN ACQUISITION LIMITED PARTNERSHIP
By: 
Name: Thomas M. Schmitt
Title: General Manager

- Validation not required because account is in bankruptcy.**

Legal				
Lawsuit File Date:				

RESURGENT

Capital Services



The above copy of South Carolina Drivers license in the name of Linda C. Barbe is a true and exact copy of the original.

Linda C. Barbe
Linda C. Barbe

State of South Carolina
County of Greenville

On February 26, 2007, before me Robin Underwood, personally appeared Linda C. Barbe, personally known to me as the person whose name is subscribed above.

Robin Underwood
Notary Public
My Commission expires: 3/24/2009

**Request for Taxpayer
Identification Number and Certification**

Give form to the
requester. Do not
send to the IRS.

Print or type
See Specific Instructions on page 2.

Name	
Business name, if different from above SHERMAN ACQUISITION LP	
Check appropriate box: <input type="checkbox"/> Individual Sole proprietor <input type="checkbox"/> Corporation <input checked="" type="checkbox"/> Partnership <input type="checkbox"/> Other ▶	
<input type="checkbox"/> Exempt from backup withholding	
Address (number, street, and apt. or suite no.) 15 S. MAIN ST. Suite 700	
City, state, and ZIP code GREENVILLE SC 29601	
List account number(s) here (optional)	
Requester's name and address (optional)	

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. For individuals, this is your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see How to get a TIN on page 3.

Social security number								
			+		+			

or

Note: If the account is in more than one name, see the chart on page 4 for guidelines on whose number to enter.

Employer identification number												
5	7	7	1	6	1	8	1	2	7	6	1	9

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and
3. I am a U.S. person (including a U.S. resident alien).

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the Certification, but you must provide your correct TIN. (See the instructions on page 4.)

Sign Here

Signature of
U.S. person ▶

Sheryl A. Emer

Date ▶ **2/23/07**

Purpose of Form

A person who is required to file an information return with the IRS, must obtain your correct taxpayer identification number (TIN) to report, for example, income paid to you, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

U.S. person. Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN to the person requesting it (the requester) and, when applicable, to:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
2. Certify that you are not subject to backup withholding, or
3. Claim exemption from backup withholding if you are a U.S. exempt payee.

Note: If a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

Foreign person. If you are a foreign person, use the appropriate Form W-8 (see Pub. 515, Withholding of Tax on Nonresident Aliens and Foreign Entities).

Nonresident alien who becomes a resident alien.

Generally, only a nonresident alien individual may use the terms of a tax treaty to reduce or eliminate U.S. tax on certain types of income. However, most tax treaties contain a provision known as a "saving clause." Exceptions specified in the saving clause may permit an exemption from tax to continue for certain types of income even after the recipient has otherwise become a U.S. resident alien for tax purposes.

If you are a U.S. resident alien who is relying on an exception contained in the saving clause of a tax treaty to claim an exemption from U.S. tax on certain types of income, you must attach a statement that specifies the following five items:

1. The treaty country. Generally, this must be the same treaty under which you claimed exemption from tax as a nonresident alien.
2. The treaty article addressing the income.
3. The article number (or location) in the tax treaty that contains the saving clause and its exceptions.
4. The type and amount of income that qualifies for the exemption from tax.
5. Sufficient facts to justify the exemption from tax under the terms of the treaty article.